UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,450	07/26/2001	Michael Wayne Brown	AUS920010553US1	7016

7590	03/29/2004	**EXAMINER**

International Business Machines Corporation
Intellectual Property Law Department
Internal Zip 4054
11400 Burnet Road
Austin, TX 78758

EXAMINER
ROSWELL, MICHAEL

ART UNIT	PAPER NUMBER
2173	3

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>26 July 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-34</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-34</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>26 July 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: application serial

numbers are missing for listed applications in the "Cross-Reference to Related Applications"

section.

Appropriate correction is required.

Information Disclosure Statement

Applicant's information disclosure statement of 26 July 2001 includes references not

made publicly available. Such references have been indicated on the information disclosure

statement. Furthermore, listed reference **AN** was not submitted with the application, and IBM

Docket number AUS920010397US1 was submitted at a reference but not listed on the

information disclosure statement, and as such has not been considered

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section
122(b), by another filed in the United States before the invention by the applicant for
patent or (2) a patent granted on an application for patent by another filed in the United
States before the invention by the applicant for patent, except that an international
application filed under the treaty defined in section 351(a) shall have the effects for
purposes of this subsection of an application filed in the United States only if the
international application designated the United States and was published under Article
21(2) of such treaty in the English language.

Claims 1-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Knight (U.S.

Patent 6,515,681).

Regarding claims 1, 13, and 23, Knight teaches a method, system, and program for

filtering a plurality of current messaging sessions according to subject preferences for a user

(taught as customized search robots for creating collections of messages based on user criteria,

at col. 10, lines 20-21), and notifying the user of a selection from among a plurality of current

messaging sessions correlating to user subject preferences, such that the user is enabled to

monitor conversations comprising the subject preferences across the plurality of messaging

sessions (taught as the retrieving of messages meeting user search/filter criteria and passing

the retrieved messages to a user's computer system within a group listing area, at col. 11, lines

48-60). Knight further teaches a messaging server communicatively connected to a network,

storing the means for filtering a plurality of current messaging sessions, taught as the

implementation of the system on a conventional network server associated with an online data

service provider, at col. 19, lines 35-39, and Fig. 4.

Regarding claims 2, 3, 12, 13, 22, and 23, Knight shows filtering a plurality of current

messaging sessions and notifying the user from a messaging server connected to a plurality of

client messaging systems, wherein a client messaging system is accessible to a user, taught as

a user posting or receiving messages in an online community or other message board systems

(col. 12, lines 39-44), the use of a server connecting the community (col. 2, lines 1-5), and with

the notification to the user *supra*. The use of an online community *supra* further teaches the

communicative connection of the user to a plurality of client messaging systems.

Regarding claims 4, 5, 14, 15, 24, and 25, Knight discloses filtering a new channel, and

a new topic added to a channel, both added to a plurality of current messaging sessions

according to subject preferences for a user, taught as adding or modifying new groups or

classes for subscriber message data items (col. 6, lines 30-35), those groups and classes being based on user preferences (col. 11, lines 53-56).

Regarding claims 6, 16, and 26, Knight shows filtering a new keyword added as a new message entry to a messaging session from among a plurality of current messaging sessions according to a user's subject preferences, taught as the system breaking down queries and messages by keyword (col. 20, lines 2-7) and generating filters based on those keywords (col. 20, lines 33-35).

Regarding claims 7, 8, 17, 18, 27, and 28, Knight filters a plurality of current messaging sessions according to subject preferences for a user added to the current messaging sessions, taught as the filtering of specific entries from general area/class/subclass definitions, at col. 11, lines 48-56. The use of an online community *supra* allows for a plurality of users to filter messaging sessions from the plurality of messaging sessions based on their own preferences.

Regarding claims 9, 19, and 29, Knight notifies the user of a selection from among a plurality of current messaging sessions utilizing an output indicated in a user's notification preferences, taught as the ability to highlight a specific author's name to notify the user of any postings by that author, at col. 16, lines 60-63.

Regarding claims 10, 11, 20, 21, 30, and 31, Knight teaches detecting an activity level associated with a selection from among a plurality of current messaging sessions, and notifies the user of the activity level, taught as a tracking system for tabulating data pertaining to information category usage, user author preferences, and interface preferences, which are made available to users of the message board, at col. 6, lines 22-35. Knight detects activity levels from the group of a channel, topic, and user, taught as tracking category usage and author preferences *supra*.

Regarding claims 12, 22, and 32, Knight detects an activity level of at least one from the group of a number of bytes within a particular time period, a number of message entries within a time period, and a time period since a message entry was last entered, taught as tracking the number of postings an author has made and the date of the most recent posting, at col. 18, lines 46-51.

Regarding claims 33 and 34, Knight teaches an interface method and a user interface for graphically displaying a plurality of selectable items representing current messaging sessions matching messaging session preferences for a user within a display area (the inventive interface for searching, perusing and posting messages of Figs. 3B-3C, col. 19, lines 6-10), and further initiates a graphical display of a messaging session within the display area responsive to a selection from among a plurality of selectable items, taught as selecting one of a number of entries through the use of a mouse or a cursor, which in turn brings up a "message detail" area to view the content of a message (col. 17, lines 48-54).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is (703) 305-5914. The examiner can normally be reached on 8:30 - 6:00 M-F.
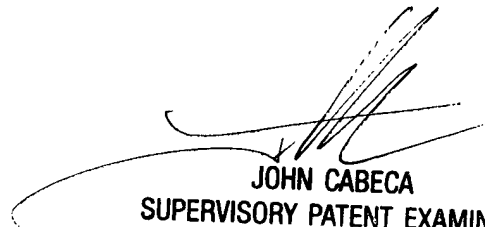
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Roswell
3/18/2004

JOHN CABECA
SUPERVISORY PATENT EXAMINE'.
TECHNOLOGY CENTER 2100